ORIGINAL

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FILED IN THE UNITED STATES DISTRICT COURT DISTRICT OF HAWAII

UNITED STATES DISTRICT COURT

DISTRICT OF HAWAII

IN THE MATTER OF THE)	Civil NO. CV05-00037 HG-BMK
COMPLAINT OF BLUE)	[3 Consolidated Cases]
DOLPHIN CHARTERS, LTD.)	
AND TERRY DONNELLY, AS)	
OWNERS OF THE VESSEL)	
M/V BLUE DOLPHIN, O/N)	AMENDED OFFER TO ALLOW
1082213, FOR	ĺ	MONEY JUDGEMENT TO BE TAKEN
EXONERATION FROM)	AGAINST LIMITATION
AND/OR LIMITATION OF)	PLAINTIFF/DEFENDANTS BLUE
LIABILITY	í	DOLPHIN CHARTERS, LTD. and
)	TERRY DONNELLY IN FAVOR OF
)	MATTHEW ISHAM, INDIVIDUALLY
	Ś	UNDER FED. RULE CIV. P. 68
	í	or value of v. 1.00
)	
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MATTHEW ISHAM, individually and as Guardian Ad Litem for HAYDEN ISHAM, a minor; ROXANNE BEST ISHAM,) CIVIL NO.: CV 04 00559 HG-BMK)))
Plaintiffs,)))
vs.)
BLUE DOLPHIN CHARTERS, LTD. and BLUE DOLPHIN DIVING, LTD., CAPTAIN ANDY'S SAILING, INC., DOES 1 - 50,)))))
Defendants.)
DENNIS CLAYPOOL, individually and as Guardian ad Litem for KRISTEN CLAYPOOL, a minor, SHERYL CLAYPOOL, SCOTT CLAYPOOL, AND KRISTEN CLAYPOOL,) CIVIL NO.: CV 04 00570 HG-BMK))))
Plaintiffs,	
VS.	
CAPTAIN ANDY'S SAILING, INC., BLUE DOLPHIN CHARTERS, LTD. And BLUE DOLPHIN DIVING, LTD.,))))
Defendants.)

AMENDED OFFER TO ALLOW MONEY JUDGEMENT TO BE TAKEN AGAINST LIMITATION PLAINTIFF/DEFENDANTS BLUE DOLPHIN CHARTERS, LTD. and TERRY DONNELLY IN FAVOR OF MATTHEW ISHAM, INDIVIDUALLY UNDER FED. RULE CIV. P. 68

COMES NOW LIMITATION PLAINTIFF/DEFENDANTS BLUE

DOLPHIN CHARTERS, LTD. and TERRY DONNELLY, pursuant to Fed/R.

Civ. P. 68, who herewith offers to allow a "new money" judgement to be taken against LIMITATION PLAINTIFF/DEFENDANTS BLUE DOLPHIN

CHARTERS, LTD. and TERRY DONNELLY, in the amount of Two Million Nine Hundred Seventy Five Thousand (\$2,975,000.) Dollars in favor of Plaintiff/Limitation Claimant MATTHEW ISHAM, individually only.

Dated: HONOLULU, HAWAII, February 13, 2006.

ROBERT F. MILLER

Attorney for Terry Donnelly and Blue Dolphin Charters, Ltd.